

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Frederick Bernard Horne

Docket No. 4:11-CR-38-1H

Petition for Action on Supervised Release

COMES NOW Michael W. Dilda, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Frederick Bernard Horne, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possession With Intent to Distribute 28 Grams or More of Cocaine Base, in violation of 21 U.S.C. § 846, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on September 7, 2011, to the custody of the Bureau of Prisons for a term of 80 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Frederick Bernard Horne was released from custody on October 9, 2015, at which time the term of supervised release commenced in the Southern District of Florida (SD/FL).

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

Documentation from the SD/FL reveal that the defendant tested positive for marijuana on February 27, 2017, and on July 20, 2017. Horne admitted to using marijuana and agreed to participate in substance abuse treatment and increased drug testing. Additionally, as a sanction for this violation conduct, the SD/FL is recommending the defendant complete 50 hours of community service and to transfer jurisdiction. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 50 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

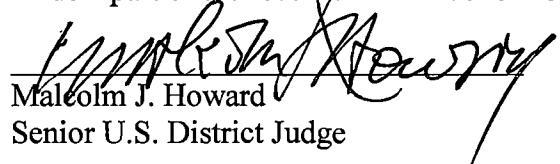
/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Michael W. Dilda
Michael W. Dilda
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2342
Executed On: August 3, 2017

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ORDER OF THE COURT

Considered and ordered this 9th day of August, 2017, and ordered filed and made a part of the records in the above case.


Malcolm J. Howard
Senior U.S. District Judge